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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re FACEBOOK BIOMETRIC
INFORMATION PRIVACY LITIGATION

) Master File No. 3:15-cv-03747-JD

) CLASS ACTION

) This Document Relates To:

) ALL ACTIONS.

) DECLARATION OF SHAWN A.
) WILLIAMS IN SUPPORT OF PLAINTIFFS'
) OPPOSITION TO FACEBOOK, INC.'S
) MOTION FOR SUMMARY JUDGMENT

1 I, SHAWN A. WILLIAMS, declare as follows:

2 1. I am an attorney duly licensed to practice before all of the courts of the State of
3 California and before this District Court. I am a member of the law firm Robbins Geller Rudman &
4 Dowd LLP, counsel of record for plaintiffs in the above-entitled action. I make this Declaration in
5 Support of Plaintiffs' Opposition to Facebook, Inc.'s Motion for Summary Judgment. I have
6 personal knowledge of the matters stated herein and, if called upon, I could and would competently
7 testify thereto.

8 2. Attached are true and correct copies of the following exhibits:

9 Exhibit 1: E-mail from Barry Schnitt to Elliot Schrage, dated September 28, 2010
10 (Bates No. FBBIPA_00009283-FBBIPA_00009285 **[FILED UNDER SEAL]**;

11 Exhibit 2: Transcript of Videotaped Deposition of Nimesh Patel, dated December 7,
12 2017 **[FILED UNDER SEAL]**;

13 Exhibit 3: E-mail from Barry Schnitt to Andrew Noyes *et al.*, dated September 13, 2011
14 (Bates No. FBBIPA_00009318-FBBIPA_00009320) **[FILED UNDER SEAL]**;

15 Exhibit 4: Transcript of Mark Zuckerberg's Hearing Before the United States Senate
16 Committee on the Judiciary and the Committee on Commerce, Science, and
Transportation, dated April 10, 2018;

17 Exhibit 5: *In the Matter of Facebook, Inc. and Facial Recognition*, Complaint, Request
18 for Investigation, Injunction, and Other Relief before the Federal Trade
Commission, dated April 6, 2018;

19 Exhibit 6: "Administrative decision against Facebook Practice of automatic face
20 detection must fulfill European standards of data protection," press release
21 regarding the administrative order against Facebook issued by the Hamburg
Commissioner for Data Protection and Freedom of Information, dated
September 21, 2012;

22 Exhibit 7: "Facebook turns off automatic facial recognition feature for all European
23 users in victory for privacy campaigners," DailyMail.com, dated October 16,
2012;

24 Exhibit 8: E-mail from Lior Kereth, dated December 18, 2012 (Bates No.
FBBIPA_00008127-FBBIPA_00008129) **[FILED UNDER SEAL]**;

25 Exhibit 9: "Someone's trying to gut America's strongest biometric privacy law,"
26 TheVerge.com, dated May 27, 2016;

27 Exhibit 10: "Is America's Strongest Biometric Privacy Law About to Be Guttled?," Fast
28 Company, dated May 27, 2016;

- 1 Exhibit 11: “As Zuckerberg Smiles to Congress, Facebook Fights State Privacy Laws,”
2 Wired.com, dated April 12, 2018;
- 3 Exhibit 12: Transcript of Hearing Before the Subcommittee on Privacy Technology and
4 the Law of the Committee on the Judiciary United States Senate titled “What
5 Facial Recognition Technology Means for Privacy and Civil Liberties,” dated
6 July 18, 2012;
- 7 Exhibit 13: “Facebook-backed lawmakers are pushing to gut privacy law,”
8 TheVerge.com, dated April 10, 2018;
- 9 Exhibit 14: Transcript of Videotaped Deposition of Yaniv Taigman, dated October 18,
10 2016 **[FILED UNDER SEAL]**;
- 11 Exhibit 15: Transcript of Videotaped Deposition of Dr. Atif Hashmi, dated February 23,
12 2018 **[FILED UNDER SEAL]**;
- 13 Exhibit 16: E-mail from Dan Barak to Jonathan Thaw *et al.*, dated September 10, 2014
14 (Bates No. FBB1PA_00005371-FBB1PA_00005373) **[FILED UNDER SEAL]**;
- 15 Exhibit 17: “Facebook hit with tough questions on facial recognition in Senate hearing,”
16 VentureBeat.com, dated July 18, 2012;
- 17 Exhibit 18: Facebook Inc.’s Response to Plaintiffs’ Second Set of Interrogatories, dated
18 July 15, 2016 **[FILED UNDER SEAL]**;
- 19 Exhibit 19: Facebook Inc.’s Amended and Supplemental Response to Plaintiffs’ Second
20 Set of Interrogatories, dated October 5, 2017 **[FILED UNDER SEAL]**;
- 21 Exhibit 20: Facebook Facial Recognition Data of Nimesh Patel, dated April 9, 2018;
- 22 Exhibit 21: Transcript of Videotaped Deposition of Nimesh Patel, dated February 16,
23 2016 **[FILED UNDER SEAL]**;
- 24 Exhibit 22: Transcript of Videotaped Deposition of Carlo Licata, dated October 24, 2017
25 **[FILED UNDER SEAL]**;
- 26 Exhibit 23: Transcript of Videotaped Deposition of Adam Pezen, dated October 24, 2017
27 **[FILED UNDER SEAL]**;
- 28 Exhibit 24: Facebook Business Record for Nimesh Patel, dated January 11, 2016 (Bates
No. FBBIPA_00000328- FBBIPA_00000690) **[FILED UNDER SEAL]**;
- Exhibit 25: Facebook Business Record for Adam Pezen, dated January 11, 2016 (Bates
No. FBBIPA_00000043-FBBIPA_00000294) **[FILED UNDER SEAL]**;
- Exhibit 26: Facebook Business Record for Carlo Licata, dated January 11, 2016 (Bates
No. FBBIPA_00000295-FBBIPA_00000327) **[FILED UNDER SEAL]**;
- Exhibit 27: Expert Rebuttal Report of Matthew Turk, Ph. D., dated February 2, 2018
[FILED UNDER SEAL];
- Exhibit 28: Transcript of Videotaped Deposition of Matthew Turk, dated February 28,
2018 **[FILED UNDER SEAL]**;

- 1 Exhibit 29: “DeepFace: Closing the Gap to Human-Level Performance in Face
- 2 Verification” by Yaniv Taigman *et al.* (Bates No. FBBIPA_00001214-
FBBIPA_00001221);
- 3 Exhibit 30: Rebuttal Expert Report of Jeffrey S. Dunn, dated February 2, 2018 **[FILED**
- 4 **UNDER SEAL]**;
- 5 Exhibit 31: Expert Report of Matthew Turk, Ph.D., dated December 22, 2017 **[FILED**
- 6 **UNDER SEAL]**;
- 7 Exhibit 32: Expert Report of Dr. Atif Hashmi, dated December 22, 2017 **[FILED**
- 8 **UNDER SEAL]**;
- 9 Exhibit 33: Transcript of Videotaped Deposition of Omry Yadan, dated October, 26,
- 10 2017 **[FILED UNDER SEAL]**;
- 11 Exhibit 34: Transcript of Videotaped Deposition of Jeffrey S. Dunn, dated February 26,
- 12 2018 **[FILED UNDER SEAL]**;
- 13 Exhibit 35: E-mail from John Bohannon to Yaniv Taigman *et al.*, dated December 3,
- 14 2014 (Bates No. FBBIPA_00009590- FBBIPA_00009592) **[FILED UNDER**
- 15 **SEAL]**;
- 16 Exhibit 36: E-mail from Gil Hirsch to Eden Shochat, dated November 20, 2010 (Bates
- 17 No. FBBIPA_00008876-FBBIPA_00008877) **[FILED UNDER SEAL]**;
- 18 Exhibit 37: Facebook’s Proposed Data Policy, dated April 5, 2018; and
- 19 Exhibit 38: E-mail chain between Louisa Terrell, Tasha Zuzalek and Alvaro Bedoya,
- 20 dated July 14, 2012 **[FILED UNDER SEAL]**.
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 16th day of April, 2018, at San Francisco, California.

s/Shawn A. Williams
SHAWN A. WILLIAMS